

**U.S. DISTRICT COURT FOR WESTERN DISTRICT  
OF PENNSYLVANIA**

WARREN DURHAM, JR.,

CIVIL ACTION

Plaintiff,

No.: 04-297E

-vs-

Judge Sean J. McLaughlin/Magistrate Judge  
Susan Paradise Baxter

CITY OF ERIE, PENNSYLVANIA,  
COUNTY OF ERIE, PENNSYLVANIA,  
CHRISTOPHER McELYNN, BRUCE  
TACKETT, JAMES WASHBURN,  
PATRICK DURKIN, and FRED P.  
ANTHONY,

Defendants.

**ORDER OF COURT**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2005,

upon consideration of the Motion for Summary Judgment filed by Defendants, City of Erie,  
James Washburn and Patrick Durkin, it is hereby ORDERED that said Motion is GRANTED.  
Plaintiffs' Complaint is dismissed with prejudice.

\_\_\_\_\_. J.